

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

LAVAN YANKTON, SR.

PLAINTIFF

V.

NO. 4:14-CV-00034-DMB-SAA

CHRISTOPHER EPPS, ET AL.

DEFENDANTS

**ORDER DENYING PLAINTIFF'S MOTION FOR
A TRANSCRIPT OF THE *SPEARS* HEARING**

This matter comes before the Court on the motion by the *pro se* prisoner plaintiff for a transcript (at government expense) of his hearing held under *Spears v. McCotter*, 766 F.2d 179 (5th Cir. 1985). Under 28 U.S.C. § 1915(c), which governs *in forma pauperis* proceeding such as this one, “the court may direct payment by the United States of the expenses of . . . preparing a transcript of proceedings before a United States magistrate judge . . . if such transcript is required by the district court.” In this case, the District Court has not required the *Spears* hearing recording to be transcribed. In addition, Plaintiff himself attended the *Spears* hearing and thus knows what transpired there. For these reasons, Plaintiff’s request for a transcript of the *Spears* hearing at government expense is **DENIED**.

SO ORDERED, this the 8th day of October, 2014.

/s/ Debra M. Brown
UNITED STATES DISTRICT JUDGE